BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF DAVIDSON

- I, Carolyn Hanesworth, state as follows:
- 1. I am the Administrator in the Tennessee Legal Department for BellSouth Telecommunications, Inc. ("BellSouth"). I am familiar with BellSouth's participation the above-referenced docket.
- 2. On December 2, 2003, subpoenas were served on the following entities, unless otherwise indicated, by serving the Registered Agent for those entities as identified at the Tennessee Secretary of State 's website in the manner listed below:

Adelphia Business Solutions of
Nashville, LP
Aeneas Communications, LLC
AllTel Communications, Inc.
Chase Telecommunications, Inc.
Citizens Telecommunications, Inc.
Concord Telephone Exchange
ConnectSouth, Communications
of Tennessee, Inc.
Digital Teleport, Inc.
Humphreys County Telephone
ICG Telecom Group, Inc.
Interstate FiberNet Inc.

Certified Mail, Return Receipt

Certified Mail, Return Receipt Certified Mail, Return Receipt Certified Mail, Return Receipt Hand Delivery to Counsel Hand Delivery to Counsel Certified Mail, Return Receipt

Hand Delivery to Counsel Hand Delivery Hand Delivery

Knology of Knoxville, Inc. Knology of Nashville, Inc. Knology of Tennessee, Inc. Level 3 Communications, LLC McLeodUSA Telecommunications Services, Inc. Memphis Networx, LLC MetroNet, Incorporated T-Mobile Teligent Services, Inc. Tellico Telephone Tennessee Telephone Company US LEC of Tennessee, Inc. Verizon, Inc. Verizon Wireless Services, LLC XO Tennessee, Inc.

Hand Delivery
Hand Delivery
Hand Delivery
Certified Mail, Return Receipt
Certified Mail, Return Receipt

Hand Delivery
Certified Mail, Return Receipt
Hand Delivery
Hand Delivery
Hand Delivery to Counsel
Hand Delivery to Counsel
Certified Mail, Return Receipt
Certified Mail, Return Receipt
Certified Mail, Return Receipt
Hand Delivery
Certified Mail, Return Receipt

3. Copies of the subpoenas are attached.

FURTHER AFFIANT SAITH NOT.

Xspedius Communications

Wittie Gran Compton Notary Public

Sworn to and subscribed before me this 16th day of December, 2003.

My Commission Expires:

Sept. 22,2007



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Adelphia Business Solutions of Nashville, LP Corporation Service Company 2 Union Square, Suite 500 Chattanooga, TN 37402-2571

Re: Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

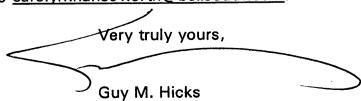
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness' designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanes worth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to <u>carolyn.hanesworth@bellsouth.com</u>.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Adelphia Business Solutions of Nashville, LP, Corporation Service Company, 2 Union Square, Suite 500, Chattanooga, TN 37402-2571

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\sqrt{2/2/03}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1													
	AL FL GA KY LA MS NC SC TN												
Affirm									-				
Deny													

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Sam	ple Form	for Res	ponse t	o Questi	ion 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Form	for Res	sponse t	o Questi	ion 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other

limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ding reta		e	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny							<u> </u>		

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	5					Question n wholes		s	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respo	nse Fori	m-Quest	ion 10: retail s		y facilitie	s leased	for pro	viding
				retails	service				p
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

		Sa	mple Re	sponse	Form-Q	uestion 1	1:		
	3 rd Pa	arty facil	lities lea	sed for	reselling	as who	lesale se	ervice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings

in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;

b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).

c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

d. The amount of unused or excess space in each collocation space.

- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;

- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.

- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.

- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

- 1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.
- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Adelphia Business Solutions of Nashville, LP as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Adelphia Business Solutions of Nashville, LP.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.

- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.
- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^{Delta}Com Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation
NewSouth Communications Corp.
Nuvox Communications, Inc.
Qwest Communications, Inc.
Sprint Communications Company, LP
TalkAmerica, Inc.
Time Warner Telecommunications of the MidSouth, LLC
United Telephone-Southeast, Inc.
Xspedius Communications
Z-Tel Communications



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Aeneas Communications, LLC Mr. Jonathan V. Harlan 301 S. Church St. Jackson, TN 38301

Re:

Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Aeneas Communications, LLC, Mr. Jonathan V. Harlan, 301 S. Church St., Jackson, TN 38301

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\sqrt{2/2/0.3}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1												
	AL	FL	GA	KY	LA	MS	NC	SC	TN				
Affirm													
Deny													

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 2													
	AL	FL	GA	KY	LA	MS	NC	SC	TN					
Affirm														
Deny														

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

	Sample Form for Response to Question 3													
AL FL GA KY LA MS NC SC TN														
Affirm														
Denv														

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

			ample Re						
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

						Question wholesa			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	on 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail
·	•			sen					
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	Sample Response Form-Question 11: 3 rd Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny						ļ			<u> </u>	

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Aeneas Communications, LLC as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Aeneas Communications, LLC.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

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DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

											- Alcono	- povoluoc
						_			Capacity	Capacity In-Service Capacity Deproyed	Capacity	2000
Wire Center "A"	A.	Wire Center 2	7				Dark Fiber					
,	Access to Collocation		Access to Collocation	Reporting Company	Facility is wholly owned	if No, third party facility	on IRU basis from BellSouth	wholly party basis from operationally owned facility Bellsouth ready (Yes,	DS3	Fibers	DS3	Fibers
CLLI Code	(Tes, NO)	CLLI COGE	(100,110)	Mailio	182,182	2212						
							_					
	_											

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	_		
		Collocation "owner"	
Wire Center "Z"		Collocation ACTL CLLI	
		Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	
		location "owner"	
Wine Conton "A"		Wire Center CLLI code Collocation ACTL CLLI Co	
		Wire Center CLLI code	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

	Devo		Dark Fibers		
	Capacity Deployed		DS3		
	පී		DS1		
	vice		DS3 Dark Fibers		
	Capacity In-Service		DS3		
	Cap		DS1		
		Facilities	wholly party basis from operationally owned facility Bellsouth ready		
	Dark Fiber	1000	basis from BellSouth	100,100	
		K hts shind	party facility	20100	
		To allih.	wholly	185, 1807	
			Reporting Company	Name	
		7	Access to Collocation	(165, 140)	
	, O 041	WITE CENTER &	CLLI Code		
			Access to Collocation	(Yes, No)	
State:		Wire Center "A"	CLLI Code		

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		Collocation "owner"	_			-	
Wire Center "Z"	Mile Collins	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"					
		Wire Center CLLI code					
		ocation "owner"					
	Wire Center "A"	IOO 11 IO TACK CONTINUE OF THE CONTINUE OF T	כסווסכמויסון אס ו ב סבבי				
		CP - 110 - 110	Wire Center CLL1 Code				

Seif-Provisioned Retail Loop Information Spreadsheet, page 1

	Sapacity Deployed		Reporting owned (Yes, party facility IRU basis (Yes, location line # Ref., DS3 Fibers DS3 Fibers	`			
	Total	1	8				_
	In-Service		Fibers				
	Canacity		DS3				
	Ž.	Indicate	line # Ref. Pa 2				
	97000 000	all at	location (Yes No)				
	1 P. P. C.	BellSouth on	IRU basis (Yes,	1001			
		FNO third	party facility	Vendor		_	
		Allowing the second	owned (Yes,	(ON			
			Reporting	Company Name			
			CLLI from which	loop extends			
				Zip			
_		dress		City			
State:		Customer Address		RSAG Valid Address	(Street name and number, directional)		

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

	Steps taken to remove partier			
	Barrier to access			
	Zip			
	City	(٠	
Customer Address	Address	(Street name and number, directional)		

.

Wholesale Loop Information Spreadsheet, page 1

Γ	7			_		\neg
	Devo d	İ	Fibers	_	`	
	Total Capacity Deployed		SS ———	_		
	Total (DS1			
	8		Fibers			
	Canacity In-Service		DS3			
		1	081			
	Access at	echnically	feasible point	(Ves. No)		
		F No.	Indicate	P92		
		Can serve	all at location	(Yes, No)		
		from	Facility wholfy if No, third BeilSouth on all at Indicate feasible owned (Yes, party facility iRU basis location line # Ref. point	(Yes, No)		
			ff No. third party facility	vendor		
			Facility whofly owned (Yes,	(SZ		
			Reporting	company Name		
			Ci Li from which	loop extends Company Name		
				Zp		
		988		À		
		Customer Address		J	(irectional)	
ite:		Custo		RSAG Valid Address	Street name and number, directional)	
Sta	j	Ш		S.	[8	

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Stars to remove barrier	Steps tanget of the steps		
	Barrier to access		
	Zip		
Bady by A second		(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

AllTel Communications, Inc. CT Corporation System 530 Gay Street Knoxville, TN 37902

Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

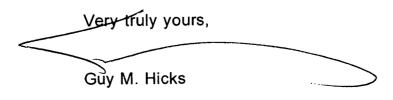
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: AllTel Communications, Inc., CT Corporation System, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1											
	AL FL GA KY LA MS NC SC TN											
Affirm												
Deny												

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2											
AL FL GA KY LA MS NC SC TN											
Affirm											
Deny	Deny										

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forn	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						ļ			
Deny						<u> </u>	<u> </u>	<u> </u>	

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.

c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).

d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.

e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

f. Whether you are willing and able immediately to provide transport along the particular route.

g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;

b. The name of the carrier or company from whom you received or purchased the transport;

c. Whether you are operationally ready to provide transport using these facilities; and

d. The capacity deployed and the capacity active on the route as of September 30, 2003.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

,		Salf pro	ample Re	esponse	Form - 0	Question	8: service					
	Self-provided facilities for providing retail service AL FL GA KY LA MS NC SC TN											
Affirm				<u> </u>		<u> </u>	<u> </u>					
Denv	<u> </u>	,				<u> </u>	<u> </u>	<u> </u>	<u> </u>			

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Self-pro	imple Re	esponse	Form - (fered on	Question wholesa	9: le basis		
Т	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny					<u> </u>	<u> </u>	<u> </u>	<u> </u>	L

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail
				sen	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						ļ			-
Denv				l	<u> </u>			<u> </u>	L

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

		Sa	mple Re	esponse	Form-Q	uestion 1	1:	vice	
	3 ^{ra} F	Party fac		sed for r	eselling	as whole	NC	SC	TN
	AL	FL	GA	KY	LA_	IVIO	140	-00	111
Affirm							 		
Deny				<u> </u>	<u> </u>		<u> </u>		L

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
 - 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- The customer name of record for the collocation arrangement and the 11character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

a. The CLLI code of the central office.

b. The type of collocation at which the facilities terminate;

c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement

d. The total active capacity and number of fiber strands deployed as of the most recent date available;

e. The type of facility (e.g., fiber, coaxial cable, etc.).

16. For each central office/wire center identified in response to Interrogatory No. 15:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to AllTel Communications, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of AllTel Communications, Inc.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

	1			ł
	Fibers			
	DS3			
	Fibers		- 	
	DS3			
	Facilities are operationally ready (Yes, No)			
Dark Fiber	on IRU basis from BellSouth	(20) (20)		
	If No, third party facility	nonia		
	Facility wholly owned	(Yes, No)		
	Report	Nam		
.Z.	Access to Collocation	(Yes, No)		
Wire Center		CLLI Code		
	Access to Collocation	(Yes, No)		
Wire Center "A		CLLI Code		
	Wire Center "A" Wire Center "Z"	Access to Collocation Company owned Access to Collocation Collocat	nter "A" Wire Center "Z" Dark Fiber Facility If No, third on IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Facilities are not IRU Party party basis from operationally party Packetonally party	Access to Collocation (Yes, No) CLLI Code (Yes, No) Mine Center "Z" Facility If No, third on IRU Facilities are wholly party basis from operationally company owned facility BellSouth ready (Yes, No) Name (Yes, No) vendor (Yes, No) No)

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

		Indiana Indiana	Collocation owner							
11411-1 00-16-11711	Wire Center 2		Collocation ACTL CLLI							
			Wire Center CLLI code Collocation ACTL CLLI Collocation owner							
			llocation "owner"						ı	
	MAN TOTAL DAM	Wire Center A		CONOCALION ACI L'OLLI						
				Wire Center CLLI code						

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

Facility If No, third on IRU on IRU any owned facility owned facility wholly bests from owned facility owned regility owned and regility owned facility with owned facility of the facility of the	
Facility If No, third on IRU wholly wholly party basis from operationally owned facility BellSouth (Yes, No) vendor (Yes, No)	
Facility If No, third on IRU Facilities wholly party basis from operationally cowned facility BellSouth ready (Yes, No) vendor (Yes, No)	
Facility If No, third on IRU Facilities wholly party basis from operationally cowned facility BellSouth ready (Yes, No) vendor (Yes, No)	
Facility If No, third on IRU Facilities wholly party basis from operationally DS owned facility BellSouth ready (Yes, No) vendor (Yes, No)	
Facility If No, third on IRU Practities wholly party basis from operationally owned facility BellSouth ready (Yes, No) vendor (Yes, No)	
Facility If No, third on RU wholly party basis from owned facility BellSouth (Yes, No) vendor (Yes, No)	
Facility If No, third wholly party owned facility (Yes, No) vendor	
Facility wholly owned (Yes, No)	
Reporting Company Name	
Access to Collocation (Yes, No)	
Wire Center "Z" A CLLI Code	
Access to Collocation (Yes, No)	
Wire Center "A" CLLi Code	

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

_	_	_	_	_	 _	_	 7
(Collocation "owner"					
With Conter "7"	Wile Celici	IIIO ILOVERIO " C	Wire Center CLLI code Collocation ACIT CLLI				
			Wire Center CLLI code				
			Wire Center CLU code Collocation ACTL CLLI Collocation "owner"				
	"A" - A A	Wire Center A	Collocation ACTL CLLI				
			Wire Center CLLI code				

Self-Provisioned Retail Loop Information Spreadsheet, page 1

	v Deployed	Fibers				
	Total Capacit	690	3			
	In-Service	i	FIDERS			
	Canacity	Capaci	D83			
	94 %	Indicate	line # Ref. Pa 2			
		Can serve all at	location line # Ref	701 (69)		
		Dark Fiber from Can serve II no. Capacity III all at Indicate	owned (Yes, party facility IRU basis (Yes, location line # Ref.	(ON		
		FNO third	party facility	vendor		
		1	owned (Yes,	No)		
			Reporting	Company Name		
			Cill from which	loop extends		
				Zip		
	_	drage		Ğţ		
	State:	O		DCAG Valid Address	(Street name and number, directional)	
١		_				

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
σiZ		
Customer Address	(Street name and number, directional)	

Wholesale Loop information Spreadsheet, page 1

Г	_1	_			_				1	
	pavold		- La	-	L					
	Total Capacity Deployed		5	3 						
	Total		3	<u> </u>						
	8	3		Fibers						
	O-seath, in Conding	מול יווי		DS3						
	l	١		081						
		Access at [technically	point	(Yes, No)					
			₩ ¥ No.	Indicate line # Ref,	Pg 2					
			Can serve	all at location	(Yes, No)					
		Dark Fiber	from	BellSouth on all at Indicate reasons IRU basis tocation line # Ref, point	(Yes. No)					
				if No. third	vendor vendor		-			
			_	Facility whofly If No. third	Owned (163,	TON!				
				į	Reporting	company Name				
					CLL! from which Reporting	loop extends				
						Zp				
			ress			Ğ				
			Customer Address			ress	mber, directional)			
	State:					SAG Valid Add	Street name and number, directional)			
4	Ö	1	<u>_</u>		_	<u> </u>	12	_	_	_

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
City Zip		
stomer Address	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Chase Telecommunications, Inc. Bernstein, Stair & McAdams 530 Gay Street Knoxville, TN 37902

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

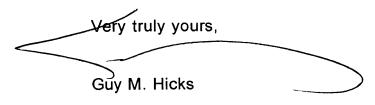
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness 'designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Chase Telecommunications, Inc., Bernstein, Stair & McAdams, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{2/2/03}{}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

·····		San	nole Forr	n for Res	sponse t	o Questi	on 1		
T	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny								<u> </u>	

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse t	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									L

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8: Self-provided facilities for providing retail service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny										

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm							, , , , , , , , , , , , , , , , , , ,			
Deny					<u> </u>			l		

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased fo	r providir	ng retail
				ser	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

		Sa	mple Re	esponse	Form-Q	uestion 1	1:		
	3 rd F	Party faci	lities lea	sed for r	eselling	as whole	esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Chase Telecommunications, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Chase Telecommunications, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications. Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

									.1.1.1.	Convice	Canadity Denloyed	Denloved
									Capacity	2014100	1	
Wire Center "A"	A.	Wire Center	7				Dark Fiber					
	Access to Collocation		Access to Collocation	Access to Reporting Collocation Company	Facility wholly owned	f No, third party facility	on IRU basis from BellSouth	wholly party basis from operationally owned facility BellSouth ready (Yes,	DS3	Fibers	DS3	Fibers
CLLI Code	(Yes, No)	CLLI Code	(Yes, No)	_	(Ves, No)	Vendor	183,187					

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

Wire Center CLI code Collocation ACTL CLLI Collocation "owner" Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"					114-11	
llocation "owner"		Miro Contor "A"			Wire Center "Z"	
llocation "owner"		VIII COIIICI V				= ;
	ire Center CI I code	Collocation ACTL CLLI	Collocation "owner"	Wire Center CLLI code	Collocation ACTL CLLI	Collocation "owner"
	ווכ ספוופו סבבי ספקס					

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

para	200		Dark Fibers				
2	Capacity Depicyed		DS3				
1	3		DS1				
	<u> </u>		Dark Fibers				
	Capacity In-Service		DS3				
	Cap		DS1				
		Facilities	Reporting wholly party basis from operationally company owned facility BellSouth ready	1100,1100			
	Dark Fiber	on IRU	basis from BellSouth	TBS, NO.	,		
		F No third	party facility	vendor			
		Tooliik,	wholly	(Yes, No)			
			Reporting Company	Name			
			Access to Collocation	(Yes, No)			
		Wire Center "Z"	CLLI Code				
			Access to Collocation	(Yes, No)			
State:		Wire Center "A"	CLLI Code				

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		Collocation owner		
Wire Center "Z"		Collocation ACTL CLLI		
		Wire Center CLLI code Collocation ACTL CLLI Collocation owner		
		Collocation "owner"		
	Wire Center "A"		Wire Center CLLI code Collocation ACT L CLL	
			Wire Center CLLI code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

[pako	Fibers	T			
	acity Dep	운 	-			 -
	Total Cap	DS3				
	In-Service	Say				
	Capacity	600	2			
	# No.	Indicate	Ine # Ker.			
	AVIOL CO.	allat	(Yes. No.)			
	Capacity In-Service Total Capacity Deployed	BellSouth on	IRU basis (Yes,	(2)		
		If No, third	party facility	Veridor		
		Facility wholly	owned (Yes,	(ON		
			Reporting owned (Yes, party facility IRU basis (Yes, location line # Ker,	٦		
			CLLI from which	- 1		
				Zip		
		785		City		
	orare:	Customer Address		RSAG Valid Address	(Street name and number, directional)	
[č	Ď		<u> </u>	ď	10	

Self-Provisioned Retall Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
diZ		
ŞE	1	
Customer Address	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet, page 1

_	_		
1	Davoid	Fibers	
1	Total Capacity Deployed	DS3	
	Total C	DS1	
	8	Fibers	
	Consolity In-Service	083	
		^	
	Accord at	ectrically feasible point (Yes, No)	
		if No. If No. Indicate Irre # Ref. Pg 2	
		Can serve all at location (Yes, No)	
		Dark Fiber from Can serve if No. rectinically from all at indicate feasible IRU basis location fine # Ref. point (Yes, No) (Yes, No) Pg 2 (Yes, No)	
		Facility wholly if No, third Bowned (Yes, party facility No) vendor	
		Facility wholly owned (Yes, No)	
		Reporting	
		CLLI from which Reporting Roop extends Company Name	
		dz	
	_	City	
	9:	Customer Address RSAG Vaild Address Street name and number, directions)	
Į	State:	RS/ Stra	_

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier	
Barrier to access	
Customer Address Address City Zip (Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Citizens Telecommunications Company CT Corporation System 530 Gay Street Knoxville, TN 37902

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Switching)

Docket No. 03-00491

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. All information provided in response to this subpoena will be subject to the Protective Order entered by the Hearing Officer in this proceeding November 25, 2003. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by December 12, 2003, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Switching)

Docket No. 03-00491

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Citizens Telecommunications Company, CT Corporation System, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 12, 2003, at 4:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of switches; including switches that may be used to provide service to retail customers in Tennessee and switches that might be used by other carriers to provide service to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

- Please provide the 11-digit COMMON LANGUAGE® Location Identifier 1. (CLLI™) of each switch used to provide qualifying service¹ anywhere in the state of Tennessee that is owned by your company. If you lease, rent or otherwise obtain switching capacity on a switch that you do not own (other than from an incumbent Local Exchange Carrier), provide the same information regarding all such switches.
- For every switch identified in response to Question 1, provide the number of 2. DS-0/voice grade equivalent access lines that switch is equipped to provide. If you lease, rent or otherwise obtain capacity on someone else's switch, provide the DSO/voice grade equivalent access lines associated with the capacity you have obtained.
- For every switch identified in response to Question 1, provide the number of 3. DS-0/voice grade equivalent access lines current in use and state the date for which such information is provided.
- State whether each switch identified in response to Question 1 serves 4. residential customers.
- Does this switch serve customer locations with: 5.
 - 1 line only? a.
 - 2 or fewer lines? b.
 - 3 or fewer lines? c.
 - 4 or fewer lines? d.
 - 5 or fewer lines? e.
 - 6 or fewer lines? f.
 - 7 or fewer lines? g. 8 or fewer lines?
 - h. 9 or fewer lines?

 - 10 or fewer lines? j.
- For each grouping of customer locations identified in Question 5 (locations 6. with 1 line, locations with 2 or fewer lines, etc.), provide:

¹ A "qualifying service" is a telecommunications service that competes with a telecommunications service that has been traditionally the exclusive or primary domain of incumbent LECs, including, but not limited to, local exchange service, such as plain old telephone service, and access services, such as digital subscriber line services and high-capacity circuits. 47 C.F.R. § 51.5.

- a. The individual customer locations. Initially, it will be sufficient to provide these locations by wire center service area. If that information is not readily available, then the information should be provided by actual customer address. To explain further, this question asks you to provide, initially by wire center service area, the number of customer locations you serve that have one line, two lines or fewer, three lines or fewer, etc. If you cannot provide the information by wire center service area, then provide this information by actual customer location, i.e. Customer A is located at 1234 Broadway, Nashville, Tennessee, and has one line, and so forth.
- b. The number of lines at each location that are used to provide voice service, and the number of lines that are used to provide data service, identified separately. If each line is used to provide both voice and data, so indicate.
- c. If you know that the specific customer location is served by lines provided by another CLEC, or by an ILEC, provide the number of DSO/voice grade equivalent lines provided at each customer location by other CLECs or ILECs.
- 7. Provide the street address (e.g., 123 Main Street), the city (e.g., Nashville), and the state (e.g., TN) where every switch identified in response to Ouestion 1 is located.
- 8. Do you offer to provide or do you provide switching to other carriers for their use in serving customers? If yes, state: (a) the carriers to whom you provide switching; (b) the types of service, if known, that are provided by the carriers to whom you provide switching; (c) whether you will provide switching to any requesting carrier; (d) identify each wire center district (by eight digit CLLI code) in which wholesale switching is available.
- 9. State whether you have any plans to terminate your service in any area in Tennessee that is currently served by the switches identified in response to Question 1. If you do, identify the areas where you intend to terminate service (and by areas we mean geographic areas, not individual customers).



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

ConnectSouth Communications of Tennessee, Inc. Corporation Service Company 2908 Poston Avenue Nashville. TN 37203

Re: Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness' designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.

Very truly yours,

Guy M. Hicks

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: ConnectSouth Communications of Tennessee, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: 12/2/03

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Richard Collier

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		Sam	nole Form	n for Res	sponse to	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny					L			·	l

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse t	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny					<u></u>				<u></u>

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	nple Forr	n for Res	sponse t	o Questi	on <u>3</u>		
	AL	FL	GA	· KY	LA	MS	NC	SC	TN
Affirm									ļ
Deny				}					

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
 - 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8: Self-provided facilities for providing retail service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm	_									
Deny										

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis										
	AL	FL	GA	KY	LA	MS	NC	SC	TN	
Affirm										
Deny								<u> </u>		

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10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 ^{rc}	Party fa	acilities le	eased for	providir	ng retail
	•			ser	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm					 		<u> </u>		
Deny				<u> </u>		<u> </u>	<u> </u>		

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	2rd E	Sarty fac	ample Re	esponse	Form-Q	uestion 1 as whole	1: esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>			1

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- q. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to ConnectSouth Communications of Tennessee, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of ConnectSouth Communications of Tennessee, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

	_				
			Fibers		
			DS3		
מכולקסטיים ל	Capacity III Col vice		Fibers		
40000	Capacity		DS3		
			Facility If No, third on IRU Facilities are wholly party basis from operationally D y owned facility BellSouth ready (Yes,		
		Dark Fiber	on IRU basis from BellSouth	(22)	
			If No, third party facility	Verigo	
			Facility wholly owned	(Yes, No)	
			Reportin Compan	Name	
		Z	Access to F	(Yes, No)	
		Wire Center "Z"		CLLI Code	
			Access to Collocation	(Yes, No)	
		Wire Center "A"		CLLI Code	
					1

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Hardwick Hardwick	Collocation owner							
Wire Center "Z"		Collocation ACTL CLLI							
		Wire Center CLLI code Collocation ACTL CLLI Collocation owner							
		Collocation "owner"							
. A	Wire Center A	Min Collection ACTI CILL					_		
		opos [] Jacques							

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

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pave		Dark Fibers			
Consolity Denioved	Jack Con	S			
3	3	-	ह्य		
	8		Dark Fibers		
	Capacity In-Service		DS3		
	Cap		DS1		
		Facilities	ing wholly party basis from operationally owned facility BellSouth	(168, 140)	
	Dack Eiber	on IRU	basis from BellSouth	(Yes, No)	
		F No. third	party facility	vendor	
		Zociiity	wholly	(Yes, No)	
			Reporting	Name	
			Access to Collocation	(Yes, No)	
		Wire Center "Z"	CLI Code		
			Access to	Collocation (Yes, No)	
Shoto	orare.	"A" votao Contor			

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

	cotion "owner"	Catton Carrie		
Wire Center "Z"	11:0	ocation ACTL CLLI CON		
3		Wire Center CLLI code Collocation ACTL CLLI		
		"Oltraction "Oltriber"	Collocation Conner	
	Wire Center "A"		Wire Center CLLI code Collocation ACTL CLLI	
			Wire Center CLLI code	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

periored	Fibers	T			
Canacity In-Service Total Capacity Deployed	DS3	+			
n-Service	E G	2001			
Capacity	6	ceri			
ξ. N.	Indicate	Ine # Ker. Pg 2			
100	all at	(Yes. No.)			
	BeilSouth on all at Indicate	owned (Yes, party facility IRU basis (Yes, location line # Ker,	ON.		
	If No. third	party facility	Vertical		
	Facility wholiv	owned (Yes,	(ON		
		Reporting	Company Name		
		CLLI from which	- 1		
			ΖID		
-	dress		ÇÎ C		
	Customer Address		Valid Address	name and number, directional)	

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
diZ		
S	tional)	
Customer Address	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet, page 1

pavoide	Fibers	
Total Capacity Deployed	DS	
Total	28	
8	Fibers	
Capacity In-Service	80	
	DS1	
Access at	feasible point (Yes, No)	
	if No. Indicate Ine # Ref. Pg 2	
	Can serve all at location (Yes, No)	
1	Gan serve if No, technicatly from all at Indicate fessible iRU basis location (Yes, No) Pg 2 (Yes, No)	
	if No, third party facility vendor	
	Facility wholly if No, third B owned (Yes, party facility No) vendor	
	21	
	CLLI from which Reporting loop extends Company Nam	
	8	
	S At	
:0	Customer Address RSAG Valid Address (Street name and number, directoral)	
Sta	N 8	_

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Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Rerrier to access		
	Address City ZIP (Street name and number, directional)	

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Concord Telephone Exchange, Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

	0.10,211.0001
Date of Issuance:	
	Richard Collier, General Counsel
	Tennessee Regulatory Authority
	460 James Robertson Parkway
	Nachvilla TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

	Sample Form for Response to Question 1												
AL FL GA KY LA MS NC SC T													
Affirm													
Deny													

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2											
	AL FL GA KY LA MS NC SC TN										
Affirm											
Deny	Deny										

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3											
AL FL GA KY LA MS NC SC TN											
Affirm											
Deny											

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8: Self-provided facilities for providing retail service												
	AL FL GA KY LA MS NC SC TN											
Affirm												
Deny	Deny											

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Response Form - Question 9:											
Self-provided facilities offered on wholesale basis												
	AL FL GA KY LA MS NC SC TN											
Affirm	Affirm											
Deny	Deny											

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Samı	ole Resp	onse Fo	orm-Que		3 rd Part service	y facilitie	s leased	for prov	riding
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	- rd -					uestion 1						
	3'4 F	Party faci	lities lea	ised for r	eselling	as whole	esale ser	vice				
	AL FL GA KY LA MS NC SC TN											
Affirm	Affirm											
Deny												

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available:
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities:
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center → IXC POP ← → IXC POP → BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement:
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth:
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location:
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Concord Telephone Exchange as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Concord Telephone Exchange.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications. Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Digital Teleport, Inc. CT Corporation Ssytem 530 Gay Street Knoxville, TN 37902

Re[.]

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

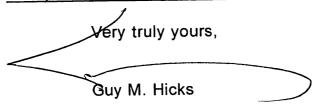
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Digital Teleport, Inc., CT Corporation Ssytem, 530 Gay Street, Knoxville, TN 37902

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2}{03}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

Richard Collier

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

Affirm or deny that you have self-provided high capacity transport facilities 1. that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in For purposes of this question, the affirmative if you are self-providing such facilities you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forn	n for Res	sponse t	o Questi	on 1						
T	AL FL GA KY LA MS NC SC TN												
Affirm						ļ							
Deny								<u> </u>	<u></u>				

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 2												
Т	AL FL GA KY LA MS NC SC TN											
Affirm								ļ				
Deny						<u> </u>						

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 3											
AL FL GA KY LA MS NC SC TN											
Affirm											
Deny							<u></u>				

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.

c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).

d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.

e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

f. Whether you are willing and able immediately to provide transport along the particular route.

g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;

b. The name of the carrier or company from whom you received or purchased the transport;

c. Whether you are operationally ready to provide transport using these facilities; and

d. The capacity deployed and the capacity active on the route as of September 30, 2003.

7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail						
	Self-provided facilities for providing retail service AL FL GA KY LA MS NC SC TN											
Affirm												
Deny					_							

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	Sample Response Form - Question 9:												
1	Self-provided facilities offered on wholesale basis												
	AL FL GA KY LA MS NC SC TN												
Affirm	Affirm												
Deny	Deny												

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased fo	r providir	ng retail
				ser	vice				
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd F	Sa Party faci				uestion 1 as whole		vice	-			
	AL FL GA KY LA MS NC SC TN											
Affirm												
Deny	Deny											

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

customers and explain any and all actions you have taken to address such restrictions.

- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
 - 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- a. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

a. The CLLI code of the central office.

b. The type of collocation at which the facilities terminate;

c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement

d. The total active capacity and number of fiber strands deployed as of the most recent date available;

e. The type of facility (e.g., fiber, coaxial cable, etc.).

- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Digital Teleport, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Digital Teleport, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

State:

Deployed		Fibers	
Capacity		DS3	
Capacity In-Service Capacity Deployed		Fibers	
Capacity I		DS3	
		Facility If No, third on IRU Facilities are wholly party basis from operationally owned facility BellSouth ready (Yes, No.)	
	Dark Fiber	on IRU basis from BellSouth	(193, 193)
		If No, third party facility	
		Facility wholly owned	(Yes, No)
			Ладе
	7	Access to Reporting Collocation Company	(Tes, NO)
	Wire Center 2		CLLI Code
		Access to Collocation	(Yes, No)
	Wire Center "A"		CLLI Code

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

	Wire Center "A"			Wire Center "Z"	
code	=	Collocation "owner"	Wire Center CLLI code Collocation ACTL CLLI Collocation "owner"	Collocation ACTL CLLI	Collocation "owner"

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

	pevo		DS3 Dark Fibers	
	Capacity Deployed		DS3	
	පී		DS1	
	vice .		Dark Fibers	
	Canacity In-Service		DS3	
	S		DS1	
	1	Facilities	perationally ready (Yes, No)	
	Dock Eibor	Dark Filber	wholly personal basis from operationally owned facility BellSouth ready Yes. No.) vendor (Yes, No.)	
		F No third	party facility vendor	
-		Hillogi	wholly owned (Yes. No.	
			Reporting Company Name	
		Z	Access to Collocation	
		Wire Center "Z"	CLLI Code	
			Access to Collocation	(Yes, No)
State:		Wire Center "A"	CLL! Code	

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

		Collocation "Owner"	COllocation		-		
Mira Contor "7"	Wile Celifor	io	Wire Center CLLI code Collocation ACTL CLLI				
			Wire Center CLLI code				
			Collocation "owner"				
	1411-0 Caster "A"	Wire Center A	I I D I TOP acitecolles chee 1 10 - 11 10 - 11	CONOCANON AS IL SEE!			
				Wire Center CLLI code			

Seif-Provisioned Retail Loop information Spreadsheet, page 1

٦	8		Т			 1
		Fibers				
	Total Capac	290	3			
	In-Service	1	Pipers			
	Capacity		DS3			
	W H	Indicate	line # Ref. Pa 2			
	9,083,000	all at	location (Yes No)	100, 100		
	F No Canacity In-Service Total Capacity Deployed	BellSouth on	owned (Yes, party facility IRU basis (Yes, location line # Ref.	(ON		
		If No. third	party facility	vendor		
		Facility wholiv	owned (Yes,	(<u>Q</u>		
			Reporting	Company Name		
			CLLI from which	loop extends		
				Zip		
_		dress		City		
		Customer Address		RSAG Valid Address	(Street name and number, directional)	
.01010	9			RS	ş	

Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

ess Steps taken to remove barrier		
Barrier to access		
City		
Customer Address	ne and number, directional)	

Wholesale Loop Information Spreadsheet, page 1

State:											1					
							Dark Fiber	_	_	Access at		Capacity in-Service	9	3	Total Capacity Deployed	Davo
Customer Address	.688						Ę	Can serve	Š.	technically [
					Facility whothy	if No. third	Facility whofty If No, third BellSouth on all at Indicate feesible	all at	Indicate	feasible	DS1	DS3	Fibers	DS1	DS3	Fibers
			CLL! from which Reporting	6	owned (Yes.	party raciiny	See Day	Yee No.	Pa 2	(ON Sex						
RSAG Valid Address	₹ S	Zb	loop extends Company N	틺	Ŝ.	Vendor	Tes, NO	100,100		1						
(Street name and number, directional)																
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						_										

Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
City		
stomer Address	(Street name and number, directional)	

BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: Humphrey's County Telephone, Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Joelle J. Phillips
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300
615/214-6301

Date of Issuance:

Richard Collier, General Counsel
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Guy M. Hicks

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse to	o Questi	on 1		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Re	sponse to	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						,			
Deny									

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		Sam	ple Forr	n for Res	sponse t	o Questi	on 3		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ling retail			* *************************************
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm					· · · · · · · · · · · · · · · · · · ·				***
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

	-		•	•		Question			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny						<u> </u>	-		

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form-Question 10: 3 rd Party facilities leased for providing											
	retail service										
	AL	FL	GA	KY	LA	MS	NC	SC	TN		
Affirm											
Deny											

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

						uestion 1			
	3 rd F	Party fac	ilities lea	sed for r	eselling	as whole	esale sei	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny	, , , , , , , , , , , , , , , , , , , ,								

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate:
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- 9. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities:
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- The customer name of record for the collocation arrangement and the 11character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service.

 For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to Humphrey's County Telephone as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of Humphrey's County Telephone.
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Communications Company

Citizens Telecommunications Company of Tennessee, LLC

Competitive Carriers of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

ICG Telecom Group, Inc. Corporation Service Company 2908 Poston Avenue Nashville, TN 37203

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

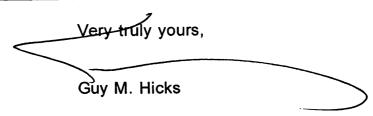
Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn.hanesworth@bellsouth.com.



BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In Re:

Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

SUBPOENA DUCES TECUM FOR DEPOSITION

To: ICG Telecom Group, Inc., Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the offices BellSouth Telecommunications, Inc., 333 Commerce Street, Suite, 2101, Nashville, TN 37201 on December 16, 2003, at 2:00 p.m. to testify in this action, and to have with you at that time and place the following:

- 1. Documents reflecting your ownership and use of high capacity loop and transport facilities, including high capacity loop and transport facilities that might be used by other carriers to provide services to customers in Tennessee.
- 2. All information set forth in the Attachment, "Matters upon which examination is requested per T.C.A. §§ 4-5-311 and 65-2-102."

These items will be inspected and may be copied at that time. You will not be required to surrender the original items.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorney(s) or the Authority you shall respond to this subpoena as directed.

Guy M. Hicks Joelle J. Phillips 333 Commerce Street, Suite 2101 Nashville, TN 37201-3300 615/214-6301

Date of Issuance: $\frac{12/2/03}{}$

Richard Collier, General Counsel Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

MATTERS UPON WHICH EXAMINATION IS REQUESTED PURSUANT TO T.C.A. §§ 4-5-311 and 65-2-102

1. Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

		San	ple Forn	n for Res	sponse t	o Questi	on 1		
T	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm						<u> </u>			
Deny								<u> </u>	<u> </u>

2. Affirm or deny that you offer to carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		San	ple Forr	n for Res	sponse t	o Questi	on 2		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny								<u> </u>	<u> </u>

3. Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

		San	ple Forr	n for Res	sponse t	o Questi	on 3	•	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

- 4. For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
 - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No); if your response is yes, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are able to immediately provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

- 5. For each state in Question 2 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:
 - a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
 - b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
 - c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
 - d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
 - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
 - f. Whether you are willing and able immediately to provide transport along the particular route.
 - g. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 6. For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):
 - a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
 - b. The name of the carrier or company from whom you received or purchased the transport;
 - c. Whether you are operationally ready to provide transport using these facilities; and
 - d. The capacity deployed and the capacity active on the route as of September 30, 2003.
- 7. If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

8. Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

						Question ing retail			
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

9. Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

		Self-pro	ample Re	esponse cilities of	Form - (fered on	Question wholesa	9: ile basis		
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Denv									

10. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample	Respon	se Form	-Questic	n 10: 3 rd	Party fa	acilities le	eased for	r providir	ng retail
•	•			sen					
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									<u> </u>

11. Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

	3 rd F	Sa Party fac	ample Re ilities lea	esponse sed for r	Form-Qeselling	uestion 1 as whole	1: esale ser	vice	
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm	-								
Deny								<u> </u>	

- 12. For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve

- customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 13. For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DS1, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets), identifying:
 - a. The RSAG valid address of each customer location.
 - b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
 - c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
 - d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
 - e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
 - f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
 - g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.
- 14. List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:
 - a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS1 cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.
- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.
- 15. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are <u>operationally ready</u> to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. <u>This interrogatory varies from Interrogatory No. 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations; it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:</u>

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available:
- e. The type of facility (e.g., fiber, coaxial cable, etc.).
- 16. For each central office/wire center identified in response to Interrogatory No. 15:
 - a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.
- 17. Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No. 2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the transport route between IXC points of presence ("POP") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth:
- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;

- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.
- 17. For each central office/wire center identified in response to Interrogatory No. 16:
 - a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?
 - b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.
- 18. Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.
- 19. Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.
- 20. On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.
- 21. Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.
- 22. Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:
 - a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
 - b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
 - c. The transmission facilities and number of equivalent DS0 channels for all services used to connect the office to your switch or non-ILEC switching

provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

- 23. For each arrangement identified in response to Interrogatory 22 and in response to Interrogatory 15, please list the types of services that are provided utilizing such an arrangement.
 - a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
 - b. For each service identified in (a), list the average monthly revenue associated with each type of service.
- 24. Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:
 - a. The RSAG valid address of the customer location;
 - b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
 - c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
 - d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
 - e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.
- 25. Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:
 - a. pick up additional traffic;
 - b. pick up additional or new customers;
 - c. pick up additional or new buildings.

REQUESTS FOR PRODUCTION

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

- 2. Produce any documents identified in response to BellSouth's First or Second Set of Interrogatories.
- 3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.
- 4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.
- 5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

DEFINITIONS

- 1. "You" and "your" refers to ICG Telecom Group, Inc. as well as any predecessors in interest, parent(s), subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of ICG Telecom Group, Inc..
- 2. "Affiliate" is defined as found in the Telecommunications Act of 1996. Section 3 of the Act defines the term "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term 'own' means to own an equity interest (or the equivalent thereof) of more than 10 percent." 47 U.S.C. § 153(1).
- 3. "Southeastern states" include the following states: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.
- 4. "DS3 transport" refers to transmission facilities with a total digital signal speed of 44.736 Mbps provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 5. "DS3 loop facilities" refer to a digital loop having a total signal speed of 44.736 megabytes per second provided over various transmission media including, but not limited to, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 6. "DS1 transport" refers to transmission facilities with a total digital signal speed of 1.544 Mbps provided over various transmission media including, but not limited to, copper, fiber optics, coaxial cable, wireless, radio, and power line facilities.
- 7. "DS1 loop facilities" refer to a digital loop having a total signal speed of 1.544 megabytes per second provided over various transmission media including, but not limited to, two-wire and four-wire copper, coaxial cable, fiber optics, wireless, radio, and power line facilities.
- 8. "Dark fiber transport" refers to optical transmission facilities without activated electronics, through which no light is transmitted and no signal is carried.
- 9. "Dark fiber" refers to optical transmission facilities without attached electronics, through which no light is transmitted and no signal is carried.
- 10. "Optronics" refers to equipment, materials, and devices that are attached to dark fiber for the purpose of lighting the fiber to carry a signal to serve customers.
- 11. "IRU" refers to an indefeasible right of use, or a type of arrangement that conveys a right to use particular facilities for a specified amount of time that cannot be arbitrarily changed or altered.

- 12. "High capacity" refers to transmission facilities with a total digital signal speed of DS1 or higher.
- 13. "CLLI code" refers to the Common Language Location Identifier that is an 11-character alphanumeric code that identifies a specific physical location or specific piece of equipment at a physical location.
 - 14. "ILEC CO" refers to BellSouth central offices.
- 15. "ILEC Wire Center" refers to a BellSouth building housing one or more switches.
 - 16. "ILEC" refers to BellSouth.
- 17. "RSAG valid address" refers to the address of each customer location as it appears in RSAG (Regional Street Address Guide) or in any other telecommunications industry database, if known.

LIST OF PARTIES TO THIS PROCEEDING

Access Integrated Networks, Inc.

AT&T Communications of the South Central States, LLC

Birch Telecom of the South, Inc.

Brooks Fiber Communications of Tennessee, Inc.

Business Telecom, Inc.

Cinergy Comm Zitions Company

Citizens Telec. nications Company of Tennessee, LLC

Competitive Carate of the South, Inc.

DIECA Communications, Inc. dba Covad Communications Company

ITC^DeltaCom Communications of the South Central States, Inc.

Electric Power Board of Chattanooga

IDS Telecom, LLC

KMC Telecom III, LLC

MCI WorldCom Communications, Inc.

MCImetro Access Transmission Services, LLC

Network Telephone Corporation

NewSouth Communications Corp.

Nuvox Communications, Inc.

Qwest Communications, Inc.

Sprint Communications Company, LP

TalkAmerica, Inc.

Time Warner Telecommunications of the MidSouth, LLC

United Telephone-Southeast, Inc.

Xspedius Communications

Z-Tel Communications

Question 4 Spreadsheet: Self-provisioned Transport Information

•	j	

		Partie Contract						Capacity 1	Capacity In-Service Capacity Deployed	Capacity	Deployed
Wire Center A	A	WITE CHILLE	1			Dark Fiber	•				
- P	Access to Collocation (Yes. No)	apo III	Access to Reporting Collocation (Yes. No)	Facility wholly owned	If No, third party facility vendor	Facility If No, third on IRU wholly party basis from owned facility BellSouth receives. No) vendor (Yes, No)	on IRU Facilities are basis from operationally BellSouth ready (Yes, (Yes, No)	DS3	Fibers	DS3	Fibers

Question 4 Spreadsheet Self-provisioned Transport Page 2: Collocation Access

		Collocation "owner"					
Wire Center "Z"		Collocation ACTL CLLI					
		Wire Center CLLI code Collocation ACTL CLLI Collocation Towner					
		Collocation "owner"					
Mine Contar "A"	WILE CEILEI A	Wire Center Cl 11 code Collocation ACTL CLL1					
		Wire Center Cill Lode	THE COINCI OFFI COR			,	

Question 5 Spreadsheet: Wholesale Transport Information Spreadsheet

\[i	Dark Fibers		
	Capacity Depiloyed		DS3		
	S		DS1		
	doe		Dark Fibers		
	Capacity In-Service		DS3		
	Sac		DS1		
		Facilities	ng wholly party basis from operationally by owned facility BellSouth ready	(Tes, NO)	
	Dark Eiher		basis from BellSouth	(Ves, No)	
		F No third	party facility	vendor	
		Tec II	wholly	(Yes, No)	
			Reportir	Name	
		Z.	Access to Collocation	(Yes, No)	
		Wire Center "Z"	CLLI Code		
			Access to	(Yes, No)	
State:		Wire Center "A"	CITICode		

Question 5 Wholesale Transport Information Spreadsheet Page 2: Collocation Access

			Collocation "owner		
12.00	Wire Center "2"		Collocation ACTL CLLI		
			Wire Center CLLI code Collocation ACTL CLLI Collocation "owner		
		Wire Center "A"	Wind Collocation ACTI CLII Collocation "owner"		
			abox 1110 rates ceitar	WIE CEILEI CLLI COCC	

Self-Provisioned Retail Loop Information Spreadsheet, page 1

	Capacity In-Service Total Capacity Deployed		200			
	apacity in-Service	i	DS3 Fibers			
	We #No. C	Indicate	n line#Ref,			 -
	rk Fiber from Can set	ellSouth on all at	owned (Yes, party facility IRU basis (Yes, location line # Ref,	(0)		
	SCI CONTRACTOR	If No. third B	party facility IRI	Vendor		
		Fecility wholly	owned (Yes,	2		
			Reporting	Company Name		
			CLLI from which	loop extends		
				Zip		
		dress		Ċţ		
State:		Customer Address		RSAG Valid Address	(Street name and number, directional)	

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Self-Provisioned Retail Loop Information Spreadsheet page 2 Retail Loop Premises Access

Steps taken to remove barrier			
Barrier to access			
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Customer Address	Address	(Street name and number, directional)	

Wholesale Loop Information Spreadsheet, page 1

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peyod		1	B			
Total Capacity Deployed			3			
Total			DSU			
3	3		Fibers			
4.4	Capacity In-Service		DS3			
			DS1			
	Access at	echnically	point Yes. No)			
-	_	# No.	Indicate Ine # Ref, Po 2			
		Can serve	location [1001 1001		
	Dark Elber	for mod	BellSouth on all at Indicate feasible IRU basis location line # Ref. point	168, NO.		
			if No, third party facility	vendor		
			Facility wholly if No, third owned (Yes, party facility	Ş		
			Reporting	Company Name		
			CLL! from which Reporting	loop extends Company Na		
				Zb		
		888		City		
100		Customer Address		SAG Valid Address	treet name and number, directoral)	
Oldio		L	<u> </u>	SS	8	

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Wholesale Loop Information Spreadsheet page 2 Wholesale Loop Premises Access

Steps taken to remove barrier		
Barrier to access		
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Customer Address	(Street name and number, directional)	



BellSouth Telecommunications, Inc. Suite 2101 333 Commerce Street Nashville, TN 37201-3300 Guy M. Hicks General Counsel

615 214-6301 Fax 615 214-7406

guy.hicks@bellsouth.com

December 2, 2003

Interstate Fibernet, Inc.
Corporation Service Company
2908 Poston Avenue
Nashville, TN 37203

Re: Implementation of the Federal Communications Commission's Triennial

Review Order (Nine-month Proceeding)(Loop & Transport)

Docket No. 03-00527

Dear Registered Agent:

Attached is a Subpoena *Duces Tecum* for Deposition issued by the Tennessee Regulatory Authority. Also attached is a Protective Order that is expected to be entered by the Tennessee Regulatory Authority, or its Hearing Officer, in this proceeding. Paragraph 13 of the Protective Order provides that:

13. Non-party witnesses, including entities responding to subpoenas, data requests or other third party discovery propounded by parties or the TRA, shall be entitled to invoke the provisions of this Order by designating information disclosed or documents produced for use in this action as CONFIDENTIAL in which event the provisions of this Order shall govern the disclosure of information or documents provided by the non-party witness. A non-party witness' designation of information as confidential may be challenged under Paragraph 11 of this Order.

If the recipient of this Subpoena provides information which is fully and completely responsive to the Subpoena by BellSouth by **December 16, 2003**, BellSouth will agree to dispense with the oral deposition. Please contact Carolyn Hanesworth at 615/214-6324 to make any necessary arrangements regarding the scheduling of depositions.

If you wish to receive a copy of the subpoena by e-mail, please provide Ms. Hanesworth with your e-mail address. You may call 615/214-6324 or send your request via e-mail to carolyn hanesworth@bellsouth.com.

Guy M. Hicks